

HB 1069 with HCA 1 -- MISSOURI QUALITY HOME CARE COUNCIL

SPONSOR: Burlison

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Committee on Emerging Issues by a vote of 8 to 3.

Currently, the Missouri Quality Home Care Council within the Department of Health and Senior Services consists of 11 members appointed by the Governor to three-year terms of office. This bill increases the number of members to 12 and changes the criteria for the appointment of members. Three members must have received or be receiving personal care assistance from the Customer Directed Services Program as specified in the bill; two members must be representatives of Missouri centers for independent living or successor organizations; two must be members of the House of Representatives appointed by the Speaker; two must be members of the Senate appointed by the President Pro Tem of the Senate; and three members must represent for-profit and not-for-profit vendors providing services for customer directed services as specified in the bill. All members except the General Assembly members must be appointed by the Governor with the advice and consent of the Senate. The Governor must make the appointments by March 1, 2016. The bill clarifies that the council's recommendations on wages for personal care attendants must not be implemented until the fiscal year in which specific appropriations are made by the General Assembly for that purpose.

The bill repeals the provision allowing the council to issue rules under the Missouri Administrative Procedures Act as necessary for the purposes and policies of the Quality Home Care Act.

The bill contains an emergency clause.

HCA 1: Removes all the provisions of the bill except for the requirement that the council's recommendations on wages for personal care attendants must not be implemented until the fiscal year in which specific appropriations are made by the General Assembly for that purpose and the emergency clause

PROPONENTS: Supporters say that the council currently has five vacancies and that it is dominated by those with interests in increasing wages paid for by the state. The Governor has shown no inclination to fill vacancies or create a balanced council. There is no subject to appropriation requirement before the council can act by rule to raise wages. The fiscal cost to the state of wage increases could be \$43 million. Vendors have only one representative on the council and are necessary to ensure proper taxes are paid and that program is managed properly. Vendors have

a very low profit margin for the amount of transactional work involved in managing personal care services.

Testifying for the bill were Representative Burlison; Greg Horton, Integrity Home Care; Pyramid Group; Missouri Council for In-Home Services; Missouri Hospital Association; Missouri Alliance For Home Care; and Kim Sisk, Oxford Health Care.

OPPONENTS: Those who oppose the bill say that the council was established by a supermajority vote of the people of 75% in 2008 and should not be undermined by the legislature. The current program works very well at allowing the disabled to receive quality services from persons of their choice and attendants need compensation for their extremely hard work. Additional appropriations are not needed to fund salary increases, the vendors will need to have smaller profit margin for transactional work.

Testifying against the bill were Jeff Mazor, Missouri Home Care Union; Mary Woods; and Kyle Auxier.

OTHERS: Others testifying on the bill say that an attempt to cut consumer representation on the council from six to three members is extremely unfair and troubling.

Testifying on the bill was Missouri Centers for Independent Living (MOCIL).